Message

From: Clancy, Maeve [Clancy.Maeve@epa.gov]
Sent: 11/9/2018 1:32:38 AM
To: Herrera, Angeles [Herrera.Angeles@epa.gov]
CC: LEE, LILY [LEE.LILY@EPA.GOV]; Chesnutt, John [Chesnutt.John@epa.gov]; Lane, Jackie [Lane.Jackie@epa.gov]
Subject: Linda Parker Pennington Response Email

Hi Angeles,

Below is a response to the 10/24 email from Linda Parker Pennington. Her original email is pasted below. Much of the information in the responses to questions 1-4 came directly from CDPH. Jackie, John, Lily, and I have reviewed this email.

Please let me know if have any questions or would like me to make any changes before you send it. I'll be in the office tomorrow.

Thanks!

Maeve Clancy
EPA Region 9
Remedial Project Manager
Superfund Division (SFD-8-3)
415-947-4105, clancy.maeve@epa.gov

Ex. 6 Personal Privacy (PP); hage.christopher@epa.gov; tomas.aragon@sfdph.org; anthony.chu@cdph.ca.gov; Chesnutt, john
bcc: clancy, maeve; lee, lily; lane, jackie

Dear Ms. Parker Pennington,

Thank you for taking the time to meet with Christopher Hage and me on October 23, 2018. We appreciated hearing your frank perspective as a homeowner at the SF Shipyard since June 2015. We share many of the concerns you raised. EPA is committed to ensuring the cleanup is complete and the community is involved throughout the process. As follow up from that meeting and your subsequent email, our responses to your questions are below. Many of your questions relate to the health and safety survey of Parcel A. The State of California Department of Public Health (CDPH) is the lead on that work. CDPH has provided answers for the questions relevant to them.

1. When will soil samples from private backyard areas be tested?

   CDPH was requested to perform a radiation health and safety scan for the outdoor publicly accessible areas of Parcel A-1. CDPH stated that soil sampling in private backyard areas is beyond the scope of this survey. Scanning is the most effective method for detecting discrete (i.e., not uniformly distributed) radiation sources. This scanning was recently completed and did not detect evidence of unsealed radioactive materials that could have potentially harmed public health and safety. We understand CDPH will be submitting a report on this in the coming weeks.

2. When will samples of the residue on our windows and windowsills be tested for contamination?

CDPH has said it is in the process of completing planning for the window dust testing and has already begun working with the Home Owners Association who will notify the residents of scheduling options for their home dust survey tests.

3. When will we be assured that the soil underneath our homes is safe and not containing toxins above an acceptable level? That includes the soil immediately surrounding our homes and under garages that are several feet below street level?

CDPH has told us that they have completed the outdoor Parcel A-1 radiation scan. The scan included scanning the soil surrounding the housing units. CDPH has also noted that considerable excavation and grading of soil, use of some of that soil as fill, and import of clean soil has occurred throughout Parcel A-1 prior to construction of the housing units. CDPH believes that this soil movement has created a blend of fill material such that the soil in the outdoor areas is likely to be similar to what is present below the residences. Using state-of-the-art, highly-sensitive calibrated instruments that were appropriate for performing these gamma scans, the scan detected only potassium-40, a naturally occurring radioactive isotope that is found in plants, animals, and our bodies, and one navy deck marker on the outer boundary of the site. Based on this scan, no radiation that could be harmful to health and safety was found, and to-date CDPH has not recommended the need for further scanning. CDPH will issue a final survey report in the coming weeks.

4. What is the background level that is being used as the baseline to determine acceptable levels of toxicity, both the one used in previous testing by Tetra Tech, and the background now being used for retesting of Parcel A?

Tetra Tech was involved in the survey of only one building (Building 322) in Parcel A. The building was demolished and the soil below that building underwent a final status survey with the results reported in the *Final Status Survey and Results (2004)*. There is not one level that was used to determine background as radiation occurs everywhere emanating from many naturally occurring radioactive isotopes or man-made sources. Instead, reference area (or building) data are collected from similar but non-impacted areas (or buildings) and are compared to the final status survey results to verify that they were comparable.

The radiation scan of Parcel A-1 that CDPH conducted was not part of the overall re-testing effort that is currently underway for Hunters Point Naval Shipyard. It was a radiation health and safety survey to determine if Parcel A-1 residents were being exposed to harmful levels of radiation. CDPH has shared that no one single background level can be used as naturally occurring radioactive materials (NORM), such as different kinds of concrete, asphalt, landscaping soils, and decorative river rocks, and their presence and amount all serve to distort any one single background level. To account for this, multiple measurements are taken for these NORM over an area with similar NORM. These measurements are averaged and adjusted for statistical variability to generate an accurate "action level" for that particular area, which, if exceeded, was investigated with additional equipment to identify the radionuclide(s) that were the source of the elevated measurements.

At Parcel G, EPA will disregard all previous background measurements taken by Tetra Tech EC Inc. New reliable background measurements will be collected under stricter oversight by regulatory agencies and others. Some of these locations will be outside the current Hunters Point Naval Shipyard boundaries.

5a. What is the cleanup plan if unacceptable radiation or other toxic substances are found at unacceptable levels?

At Parcel A, according to the CDPH Work Plan, if levels of radiation are found, the Navy will perform a radiological characterization of the anomalous area and determine their next steps in conjunction with CDPH. When the deck marker was found, Navy took immediate steps to remove it and evaluate the surrounding soil for residual contamination. EPA was onsite when it was excavated, observed its removal, and analyzed the data collected to ensure that the public was not exposed to harmful levels of radiation from this object and that there is no contamination in the residual soil. We anticipate following a similar procedure if anything is found during the indoor dust scans or the scan of Parcel A-2.

For Parcel G, the Navy is inviting regulatory and public review and comment of its draft Work Plan for retesting and cleanup. Please see the latest information about this process at the Navy's website: https://www.bracpmo.navy.mil/brac_bases/california/former_shipyard_hunters_point.html. The Navy has stated that its Work Plan will use cleanup standards that are protective using the current version of EPA's radiological health risk model. In addition, any radiological material found above those standards will be removed from the site for proper disposal. Both recommendations are consistent with EPA national guidance and with past practice at this and many other Superfund sites nationwide.

5b. And further, how do we ensure the health safety of those currently living and working at the Shipyard through a cleanup process?

EPA and our regulatory partners are taking a number of steps to ensure the health and safety of all nearby residents and workers today and into the future.

Any concerns about cleanup standards or data falsification would not impact the health of current residents in Parcel A or the surrounding community. The areas under question are enclosed under protective covers (such as pavement, clean soil, or building foundations) or inside locked buildings in secured parts of the site outside of Parcel A (the residential area). Independent radiological monitoring of dust, groundwater, ground surfaces, and fence lines have shown that health-based standards are met, and independent third-party contractors routinely conduct in-person observations of current radiological cleanup work.

As described in the response to question #3, CDPH has completed their scan of Parcel A-1 and the only anomaly they found that was not naturally occurring was the deck marker. EPA has carefully studied the potential health effects of the deck marker and we do not believe that it would have posed a health risk if it had been left in place. In addition, radiation readings during and after removal indicated no residual contamination in the soil. As also described above, CDPH will soon begin sampling windowsill dust in SF Shipyard homes. Furthermore, CDPH is scanning Parcel A-2, located adjacent to the SF Shipyard development, and slated for development in the future. EPA, CDPH, the California Department of Toxic Substances Control (DTSC), and the Navy will evaluate results from the Parcel A-1, A-2, and dust scans, make decisions on how to proceed, and discuss any follow-on scanning or testing efforts with the City and Parcel A residents.

In order to protect Parcel A residents and the surrounding community during work on other parcels at the HNPS site, EPA as part of the cleanup team with DTSC and the Navy, have been actively involved in the development of the new work plans designed to address the uncertainty that now surrounds the site and to reassure the residents of their safety. EPA has stepped up our oversight activities, and the regulatory agencies all plan to have staff on site during the planned retesting. The regulatory agencies will also independently take and analyze samples alongside the Navy to ensure the integrity of the data and restore public confidence in the clean-up.

EPA remains committed to protecting Parcel A residents and the larger Bayview-Hunters Point community from exposure to radiation. We continue to direct resources to Hunters Point and we have a team of technical experts focused on this project. We are committed to working hard, together with the Navy and our State regulatory partners, to ensure that Hunters Point Naval Shipyard is clean and safe. Please feel free to contact me at 415-972-3144 with any additional questions or concerns. Or you can contact John Chesnutt, Manager, Pacific Islands and Federal Facilities Section, at 415-972-3005 or chesnutt.john@epa.gov. For further information about the health and safety scan at Parcel A, please contact CDPH at RHBHuntersPointParcelAScan@cdph.ca.gov.

Sincerely,

Angeles

****ORIGINAL EMAIL****
Begin forwarded message:

On Oct 24, 2018, at 9:31 AM, Linda Parker Pennington Ex. 6 Personal Privacy (PP) wrote:

Ms. Angeles Herrera
Assistant Director, Superfund Division, US EPA Region 9

Mr. Christopher L. Hage
Sr. Advisor to the Regional Administrator Region 9

copy to Tomas Aragon, Health Officer of the City and County of San Francisco

Good morning Ms. Herrera and Mr. Hage,
I wanted to thank you for the generosity of your time yesterday at the San Francisco EPA offices, and for listening to my frank perspective as a homeowner at the SF Shipyard since June 2015. I thought I'd forward to you this latest news article that includes Dan Hirsch's report on the Shipyard cleanup, and well summarizes what leads to the state of high concern that we have as homeowners and residents in the Bayview.

And to document briefly what agreements were made yesterday on our next steps, I am expecting answers to the following questions, asked several times of the Navy and CDPH representatives who've met with homeowners at the Shipyard, and residents at the CAC meeting over the last few months. These questions are all relative to Parcel A, where we currently live, and where the deck marker was discovered 3 weeks ago.
1) When will soil samples from private backyard areas be tested?
2) When will samples of the residue on our windows and windowsills be tested for contamination?
3) When will we be assured that the soil underneath our homes is safe and not containing toxins about an acceptable level? That includes the soil immediately surrounding our homes and under garages that are several feet below street level?
4) What is the background level that is being used as the baseline to determine acceptable levels of toxicity, both the one used in previous testing by Tetra Tech, and the background now being used for retesting of Parcel A?
5) What is the cleanup plan if unacceptable radiation or other toxic substances are found at unacceptable levels? And further, how do we ensure the health safety of those currently living and working at the Shipyard through a cleanup process?

I am anticipating having these questions answered in writing within the next few weeks. I would also like to ask that these questions be addressed publicly with **all Shipyard homeowners and Bayview residents at your earliest opportunity.**

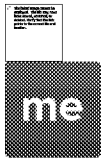
Finally, I think it is worth noting that a sense of urgency about this situation does not seem to be in evidence with any of the public agencies we've been meeting with (the Navy, the CDPH, the EPA or even the appointed Citizens Advisory Committee's Environmental and Land Reuse Subcommittee). The level of frustration and lack of trust felt by Shipyard and Bayview residents cannot be overestimated. It behooves you as representatives of the EPA to ensure that all agencies involved in creating this very real health risk and public relations disaster show both transparency and urgency in addressing our questions and concerns. This is essential to restoring public trust.

Again, thank you for your time. I have copied Fred Jordan of the San Francisco African American Chamber of Commerce, whom you met with prior to our meeting. Fred and I will be staying in touch on these matters.

I look forward to your response, both to these immediate questions, and to the larger issue of communicating with full transparency to all Shipyard and Bayview residents so that we can feel safer in our homes.

Respectfully submitted,

Linda Parker Pennington
SF Shipyard Homeowner



Linda Parker Pennington

about.me/lindaparkerpennington

Ex. 6 Personal Privacy (PP)

---------- Forwarded message ---------
From: **Lee Houskeeper** Ex. 6 Personal Privacy (PP)
Date: Wed, Oct 24, 2018 at 8:31 AM
Subject: San Francisco Bay View » New reports show the entire Hunters Point Shipyard, one of the most toxic sites in the US, is likely to be radioactively contaminated
To:

http://sfbayview.com/2018/10/new-reports-show-the-entire-hunters-point-shipyard-one-of-the-most-toxic-sites-in-the-us-is-likely-to-be-radioactively-contaminated/

New reports show the entire Hunters Point Shipyard, one of the most toxic sites in the US, is likely to be radioactively contaminated

October 23, 2018
by Lee Houskeeper

This is the source of the massive radioactive contamination at the Hunters Point Shipyard. One of a series of nuclear bomb tests on atolls in the South Pacific called Operation Crossroads, this blast is known as Shot Baker. Seventy-nine ships deployed around this blast and others, from the Navy's "mothball" fleet, were towed to the shipyard to be "cleaned." Instead, the Navy's futile attempts to clean them contaminated the entire shipyard. – Photo: Army Photographic Signal Corps

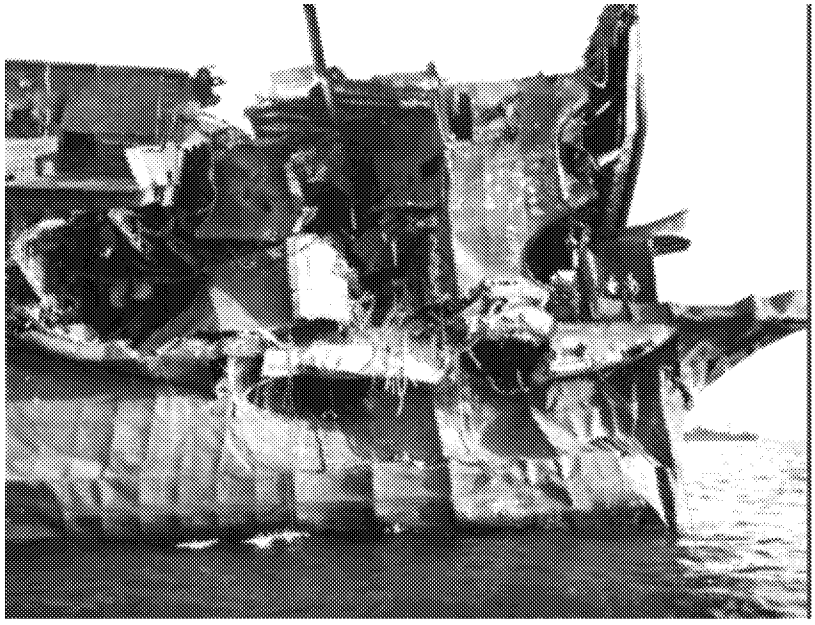
Daniel Hirsch, president of the nonprofit Committee to Bridge the Gap and former director of the Program on Environmental and Nuclear Policy at the University of California Santa Cruz, spoke with the press in advance of a community presentation at Hunters Point Shipyard. Many Shipyard residents have been frustrated with what they feel are less than forthcoming answers from the Navy and regulatory agencies regarding the radioactive contamination at the Shipyard. Hirsch presented independent research and information on Hunters Point, including two new reports he and his colleagues at Committee to Bridge the Gap are releasing.

First report: Radioactive work at Hunters Point

Key conclusions: The extent of radioactive activities at Hunters Point was far greater than the public has been led to believe. A wide array of radionuclides, numbering in the dozens, was involved, often in extremely large quantities.

No portion of Hunters Point can be deemed non-impacted, since the radioactivity was susceptible to widespread migration throughout the site.

Effective cleanup will be a massive undertaking, requiring a level of diligence far greater than that which has been demonstrated by the Navy to date, whose poor environmental and safety practices led to the widespread contamination in the first place.



This is the USS Independence, a huge aircraft carrier, after being exposed to an atomic bomb test. Note the two sailors at the far right. Not only is the ship badly damaged, but it's highly radioactive. – Photo: NARA

Second report: The majority of Hunters Point sites were never sampled for radioactive contamination

The public would reasonably think that sampling of soil and other materials for radioactive contamination had been performed across the whole Hunters Point Shipyard (HPS) site, and with numbers of samples and techniques sufficient to have high confidence that potential contamination was not overlooked.
In fact, the Navy decided to exempt approximately 90 percent of the locations (792 of 883 HPS sites) at Hunters Point from any soil sampling or building measurements.

No sampling conducted for the great majority of radionuclides

In addition to not sampling the great majority of HPS at all, what sampling was done did not include measurements for the great majority of radionuclides of concern. No cleanup levels were established for them, thus allowing unlimited levels of contamination if present.

Even in the 1940s, the Navy knew the danger of a radioactive ship. This is the USS Independence anchored at the Hunters Point Shipyard, where attempts were made to decontaminate the irradiated ships. – Photo: NARA

Furthermore, most soil measurements did not even include the most critical radionuclides like strontium-90 and plutonium-239.

In the 2004 Historical Radiological Assessment (HRA) the Navy identified 108 radionuclides used at HPS. The HRA then reduced the list of 108 radionuclides used at HPS to 33 radionuclides of concern.

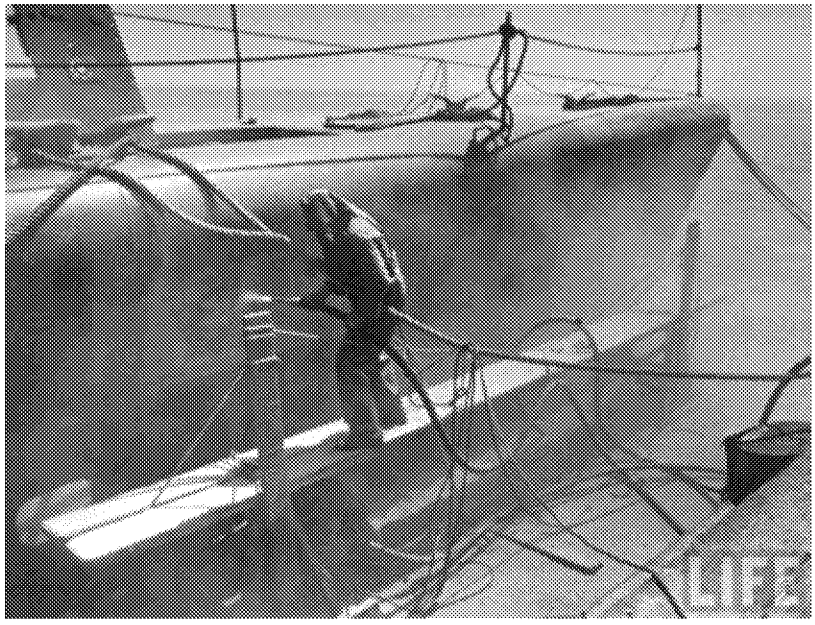
Despite over a hundred radionuclides identified as having been used at HPS and 33 deemed in the HRA to be "radionuclides of concern," during actual sampling and cleanup, however, only a few radionuclides were considered. For example, the Navy now claims that there are only three or four radionuclides of concern in Parcel G and sets cleanup standards only for those.

Background measurements taken from potentially contaminated areas

Crude efforts to decontaminate the radioactive fleet at sea proved futile. These sailors can never make this battleship, the USS Prinz Eugene, captured from the Germans, clean and safe. It was so radioactive it was later sunk. – Photo: NARA

To know if measurements taken at Hunters Point represent contamination, it must first be known how much radioactivity there is in local "background" – the level of naturally occurring radionuclides and global fallout, i.e., how much radioactivity there would be if the Navy had never been there. The Multi-Agency Radiological Survey and Site Investigation Manual (MARSSIM), which contractors employed by the Navy are supposed to follow, defines a non-impacted area as "an area where there is no reasonable possibility (extremely low probability) of residual contamination."

These areas determined to be non-impacted, if truly free from any contamination, can reasonably be used for background reference areas. What has been and continues to be done at HPS, however, is to use locations in the midst of the contaminated Superfund site for background, areas that have a significant likelihood of being radiologically contaminated themselves, but were inappropriately labeled as "non-impacted."



Sandblasting became the favored method of reducing the contamination of the ships – while spreading its radioactivity around the shipyard. The shiny irradiated sand – called "black beauty sand" by the children of Hunters Point, who liked to play in it – was used to pave walkways and sideroads around the shipyard. – Photo: Fritz Goro, Life Magazine

Having not sampled the great majority of Hunters Point sites and for the great majority of the radionuclides of concern, and inflating background values, Tetra Tech nonetheless appears to have fabricated or falsified readings from 90-97 percent of the HPS survey units that were measured according to the EPA.

In summary, the great majority of Hunters Point soil was never sampled and what samples were taken ignored the great majority of the radionuclides of concern, with unlimited contamination levels allowed without requiring cleanup. Only a tiny fraction of HPS and the radionuclides of concern were subject to sampling, and only a tiny fraction of those samples are free of evidence of fabrication.

Essentially, none of the entire HPS radiological cleanup endeavor to date can be relied upon to assure protection of the public.

Contact Lee Houskeeper of San Francisco Stories at Newsservice@aol.com.

Read the entire reports and a presentation that amply demonstrates the history and the present state of radioactivity at the Hunters Point Shipyard:

- Report 1: Hunters Point Naval Shipyard: The Nuclear Arms Race Comes Home– Oct. 18, 2018
- Report 2: The Great Majority of Hunters Point Sites Were Never Sampled for Radioactive Contamination — And the Testing That Was Performed Was Deeply Flawed– Oct. 18, 2018
- Hunters Point Community Presentation 10-18-18 This presentation – extremely clear, well illustrated and easy to understand – should be seen by everyone with an interest in or contact with the Hunters Point Naval Shipyard.

Ex. 6 Personal Privacy (PP)